

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

American Efficient LLC and Affirmed Energy LLC,

Plaintiffs,

v.

Federal Energy Regulatory Commission, Mark C. Christie, Willie L. Phillips, David Rosner, Lindsay S. See, and Judy W. Chang, *in their official capacities as Commissioners of the Federal Energy Regulatory Commission,*

Defendants.

Case No. 1:25-CV-68

**PLAINTIFFS' ADDENDUM OF
SUBSEQUENTLY DECIDED
AUTHORITY AND RELEVANT
FACTUAL DEVELOPMENT**

Pursuant to Local Rule 7.3(i) and in reference to Plaintiffs' pending Motion for a Preliminary Injunction (ECF No. 2) and Memorandum in support of that Motion (ECF No. 3), Plaintiffs American Efficient LLC and Affirmed Energy LLC submit as subsequently decided authority *AT&T, Inc. v. FCC*, 2025 WL 1135280 (5th Cir. Apr. 17, 2025), attached as Exhibit 1.

Plaintiffs also apprise the Court that on April 15, 2025, in the agency proceeding at issue in this action, FERC's enforcement staff submitted a filing to FERC urging FERC to "act as expeditiously as it can" and to "assess a civil penalty and order disgorgement promptly." A copy of the filing is attached as Exhibit 2.

Respectfully submitted this 18th day of April, 2025.

/s/ Mark A. Hiller

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Rule 83.1(d)